

BUDGET STILL IN LIMBO

The state Budget, which seemed a *fait accompli* a week ago, was no closer to passage – and probably farther away -- as this week came to an end.

One week ago (July 20), the state Assembly adopted the Budget conference report ([SB 77](#) – [Ducheny](#)) on a 56-23 vote and promptly recessed for the summer. The Senate failed to follow suit, however, as Senate Republicans refused to provide the votes needed for the bill to garner the necessary 2/3 majority.

Unless the Senate Republicans relent on their call for additional spending cuts and approve the SB 77 conference report, either the Assembly will have to return to vote on an alternative spending plan, or no Budget will be enacted until after the summer recess.

The Assembly's approval of SB 77 ended, at least for the time being, an effort by Democratic members of three legislative minority caucuses to delete \$27.2 million needed to fund 50 judgeships in the coming fiscal year. The faction, led by Assembly Members [Ted Lieu](#), [Joe Coto](#) (Chair of the Latino Caucus), [Mervyn Dymally](#) (Chair of the Black Caucus), and [Alberto Torrico](#) (Chair of the Asian-Pacific Islander Caucus), said it opposed



Lieu

including the judicial funding in the budget because of what they say is the governor's abysmal record in appointing minorities to the court.

Lieu expressed the arguments of the group in a [column](#) in the *California Progress Report*.

Even assuming that a Budget bill is enacted containing the judicial funding appropriation, the issue has not been completely resolved. The legislation ([AB 159](#) by Assembly Judiciary Committee Chair [Dave Jones](#), D-Sacramento), needed to authorize the Governor to appoint those judges is in the Senate Appropriations Committee, and will not be heard until some time after the Legislature returns. The bill also would permit the conversion of 162 subordinate judicial officer (SJO) positions to judgeships at the rate of up to 16 per year.

SB 77 does include several items of importance to the state's judiciary, but does not include funding requested by the Judicial Council for trial court security or reform of Judges Retirement System II.

ACCESS TO LEGAL SERVICES LEGISLATION ADVANCES

Several bills aimed at increasing access to legal services for the people of California are continuing to move through the Legislature (though no action is expected until after the official end of the summer recess on August 20):

[AB 1723](#) by the Assembly Judiciary Committee, which would update the kinds of vehicles attorneys can use for their IOLTA accounts and calls on lawyers to hold those accounts in banks that are in compliance with this new comparability legislation. The bill, sponsored by the State Bar and supported by a long list of legal services providers and bar associations, was approved by the Senate Judiciary Committee on a partisan 3-2 vote, and is on the Senate Floor.

[AB 467](#) by Assembly Member [Mike Feuer](#) (D-Los Angeles) would clarify and make more comprehensive the statutory scheme for court fee waivers for litigants who cannot afford to pay the fee, and would provide for recovery of those fees when the indigent litigant receives a judgment or settlement, or his or her circumstances substantially change. The bill is sponsored by the Judicial Council and is on the Senate Floor.



Feuer

[AB 171](#) by Assembly Member [Jim Beall](#) (D-San Jose) would repeal the existing (but never funded), Public Interest Attorney Loan Repayment Program and replace it with a new, expanded Assumption Program for Loans for Law in the Public Interest to be administered by the California Student Aid Commission (CSAC). The bill is in the Senate Appropriations Committee.

DEADLINES UPCOMING

- [Monday, August 20](#) - Legislature scheduled to reconvene from Summer Recess.
- [Friday, August 31](#) - Last day for Fiscal Committees to meet and report bills to Floor.
- [September 3-14](#) - Floor session only. No committee may meet for any purpose.
- [Friday, September 7](#) – Last day to amend bills.
- [Friday, September 14](#) - Last day for each house to pass bills. Interim recess begins on adjournment.
- [Sunday, October 14](#) - Last day for Governor to sign or veto bills.